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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,650	12/26/2000	Abdi R. Modarressi	BS97-052	9924

28970 7590 05/31/2005

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EXAMINER
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SCHEIBEL, ROBERT C

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

87

**Office Action Summary****Application No.**

09/746,650

**Applicant(s)**

MODARRESSI ET AL.

**Examiner**

Robert C. Scheibel

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 November 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26,28,31-40,42 and 45-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26,28,31-40,42 and 45-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Applicant's arguments, see the section titled "Drawings" on page 11, filed 11/19/2004, with respect to the objections to the drawings, have been fully considered but they are not persuasive. In the arguments, applicant asserts that the replacement drawings correct the objections. However, the office did not receive the replacement drawings. Applicant is requested to submit these replacement drawings with the next correspondence with the office.
2. Applicant's arguments, see the section titled "Specification" on page 11, filed 11/19/2004, with respect to the objection to the specification have been fully considered and are persuasive. The objection to the specification has been withdrawn.
3. Applicant's arguments, see the section titled "Claims" on page 11, filed 11/19/2004, with respect to the objection to claims 27, 33, and 41 have been fully considered and are persuasive. The objection to claims 27, 33, and 41 has been withdrawn.
4. Applicant's arguments, see the section titled "112 Rejections", filed 11/19/2004, with respect to the rejection of claims 31-36 and 48-49 under 35 U.S.C. 112, second paragraph, have been fully considered and are persuasive. The rejection of claims 31-36 and 48-49 under 35 U.S.C. 112, second paragraph, has been withdrawn.
5. Applicant's arguments, see the section titled "103 Rejections", filed 11/19/2004, with respect to the rejections of claims 1-49 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejections have been withdrawn. However, upon further consideration, new grounds of rejection are made in view of U.S. Patent 6,366,661 to Devillier et al in view of U.S. Patent 6,891,940 to Bhandari et al as well as the other references used in the

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previous office action (Dunn (US Pat 5,917,817), White (US Pat 6,014,379), Bajzath (US Pat 6,144,644), Fleischer (US Pat 5,974,133)).

### *Drawings*

1. The drawings are objected to because:

- The outputs of decision block 414 of Figure 4 are labeled incorrectly; the output to block 412 (currently “Yes”) should be labeled “No” and the output to block 416 (currently “No”) should be labeled “Yes”.
- The word “as” in block 520 of Figure 5 should be “an”.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-4, 6-9, 11-14, 17-26, 28, 37-40, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,366,661 to Devillier et al in view of U.S. Patent 6,891,940 to Bhandari et al.

Regarding claims 1 and 21, Devillier discloses the switch in the SSP 22 of Figure 2 (described as an SSP in lines 24-32 of column 4). Devillier discloses the controller in the AIN SCP 32 of Figure 2. Devillier discloses the gateway in the combination of the server 16 and the AIN IP 26 of Figure 2. The limitation of the service switching point launching a query to the service control point is disclosed in the first block of Figure 5A (the SCP receiving the message to request subscriber status); also see lines 11-17 of column 6 for more information. The limitation of the controller sending a call processing request to the gateway when it receives the

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query is disclosed in the query transmitted to the server (see second block of Figure 5A). The limitation that the controller send an instruction to the switch to park the incoming communication at the gateway is disclosed in lines 48-56 of column 6 (the AIN IP is considered part of the gateway in this interpretation as described above). The limitation that the switch parks the communication at the gateway is also disclosed in lines 48-56 of column 6. The limitation that the gateway communicates with the computer network to obtain a response to the query to process the call is disclosed in lines 40-51 of column 6 (which describes how the SCP passes the caller identification information to the gateway (server)) and in lines 35-65 of column 7 (which describes how the gateway (communications server) sends a request to the subscriber's PC to request instructions on how to route the call (from the subscriber). The limitation of the service control point processing the incoming call in accordance with the response is disclosed in lines 1-3 of column 7 (with more detail in the lines following this passage).

Similarly, regarding claims **11 and 37**, Devillier discloses the step of detecting an incoming call at the switch in lines 11-17 of column 6. The step of launching a query to the controller is disclosed in the first block of Figure 5A (the SCP receiving the message to request subscriber status); also see lines 11-17 of column 6 for more information. The step of sending a call processing request to the gateway is disclosed in the query transmitted to the server (see second block of Figure 5A). The steps of sending an instruction to park the incoming communication at the gateway and parking the communication at the gateway are disclosed in lines 48-56 of column 6. The step of sending the call processing request to the network (claim 11) or subscriber (claim 37) is disclosed in lines 40-51 of column 6 (which describes how the SCP passes the caller identification information to the gateway (server)) and in lines 35-65 of

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column 7 (which describes how the gateway (communications server) sends a request to the subscriber's PC to request instructions on how to route the call (from the subscriber). The step of obtaining a response for processing the call from the network computer network (claim 11) or formulating a response to the query (claim 37) is disclosed in lines 62-65 of column 7. The step of processing (claim 11) or completing (claim 37) the incoming call in accordance with the response is disclosed in lines 1-3 of column 7 (with more detail in the lines following this passage).

Devillier does not disclose expressly the limitation that a trigger is used in the SSP or the step of provisioning a trigger on the telephone line at the service switching point as specified in the claims. Devillier also does not disclose the limitation that the gateway is in communication with the switch and controller through links distinct from the computer network or the functionality of the server being collocated with the AIN IP.

However, it is well known that in AIN networks (like that of Devillier, triggers are the means by which the special call processing is handled in the SSP/SCP). Bhandari discloses the limitation of provisioning an SSP with a trigger and in launching a query from the SSP to the SCP when an incoming call is detected by that trigger in the Termination\_Attempt trigger described in lines 51-54 of column 12.) While the provisioning of the trigger is not explicitly mentioned in this passage, it is implicit to one of ordinary skill in the art in that the trigger must be provisioned prior to being used as described in the above cited passage. Bhandari also discloses the structural limitations of the gateway being in communication with the switch and controller through links distinct from the computer network in the Intelligent Peripheral 40 of Figure 1. This is analogous to the AIN IP of Devillier.



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Devillier and Bhandari are analogous art because they are from the same field of endeavor of call processing in advanced intelligent networks. At the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the SSP of Devillier using the Termination\_Attempt trigger and related signaling described in Bhandari. The motivation for doing so would be to comply with well-know industry standards so that the SSP and SCP could be from separate vendors, thus providing a more flexible network architecture. It would also have been obvious to one of ordinary skill in the art to combine the functionality of the server 16 and the AIN IP into one network element and thus to connect the modified AIN IP to both the data network and the AIN network as disclosed in Bhandari. The motivation for doing so would be to reduce the overall cost of the system by reducing the number of network elements required in the network. Therefore, it would have been obvious to combine Bhandari with Devillier for the benefit of providing a flexible network architecture and reducing costs to obtain the invention as specified in claims 1, 11, 21, and 37.

Regarding claim 2, Devillier discloses the limitation of the SCP, gateway, and computer network using a TCP/IP interface in Figure 2 which shows the computer network connecting the SCP and the gateway as the "Internet" which is well known to use the TCP/IP protocol.

Regarding claims 3, 28, and 42, Bhandari discloses the limitation that the trigger is a termination attempt trigger in the passage cited above (lines 51-54 of column 12) cited in the rejection of claim 1 above. The trigger referred to in the above rejection is a Termination Attempt trigger as indicated in the rejection. Devillier and Bhandari are analogous art because they are from the same field of endeavor of call processing in advanced intelligent networks. These two references are in fact directed in part to the same problem the applicant is solving



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which is notification of incoming calls to users with an online connection (via that online connection).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the SSP of Devillier using the Termination\_Attempt trigger and related signaling described in Bhandari.

The motivation for doing so would be to comply with well-know industry standards so that the SSP and SCP could be from separate vendors, thus providing a more flexible network architecture.

Therefore, it would have been obvious to combine Bhandari with Devillier for the benefit of providing a flexible network architecture to obtain the invention as specified in claims 3 and 28.

Regarding claims **4 and 13**, Devillier discloses the limitation that the call processing request comprises an identity of the calling party in lines 40-45 of column 6 as well as in lines 54-55 of column 7 which describes how caller identification information is retrieved from the LIDB database to be transmitted to the gateway (communications server) in the request. The limitation of the request including a plurality of call routing options is disclosed in lines 58-62 of column 7.

Regarding claims **6, 22, and 38**, Devillier discloses the limitation that the telephone line is being used by a called party to maintain a communication session with the computer network in lines 3-8 of the abstract.

Regarding claim **7**, Devillier discloses the limitation of obtaining a response from the called party in lines 62-65 of column 7.

Regarding claim 8, Devillier discloses that the response selected by the subscriber is transmitted via the subscriber's computer (PC) in lines 51-58 of column 7. This passage indicates that software on the subscriber's PC is used to interact with the subscriber, thus disclosing the limitation of claim 8.

Regarding claim 9, Devillier discloses the limitation of the telephone line belonging to a party who maintains a communication session with the computer network using a dedicated communication link in the embodiment of Figure 7. As described in the passage from line 66 of column 7 through line 31 of column 8, this embodiment notifies a user of a call to his/her home telephone number via an Internet session to his/her work computer. In this case the dedicated communication link is the link from the work computer to the Internet.

Regarding claim 12, Devillier discloses the limitation of contacting the called party over the computer network in lines 49-65 of column 7.

Regarding claim 14, Devillier discloses the limitation of selecting one of the plurality of call routing options throughout, for example in lines 62-65 of column 7.

Regarding claims 17 and 18, Devillier discloses the limitations of accessing a computer of the called party via the computer network and obtaining a response from the computer in lines 51-58 of column 7.

Regarding claims 19 and 20, Devillier discloses the limitation of processing the incoming call with default treatment if a response is not received and the limitation of the default treatment being to terminate the call to the party's voice mailbox in lines 63-67 of column 6.

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Regarding claim **23**, Devillier discloses the limitation that the subscriber uses a communication link to establish the session between the computer and the computer network in lines 3-5 of the abstract.

Regarding claims **24 and 39**, the limitation that the communication link is a second telephone line is disclosed in Devillier in the embodiment of Figure 7. In this embodiment, the communication link is the connection from the subscriber's work computer to the Internet; it is well known that this connection can be via a dial-up service and thus is a second telephone line (either the line to the subscriber's home phone or the line to the subscriber's work phone being the first.)

Regarding claims **25 and 40**, Devillier discloses the limitation that the communication link is one of an ISDN line, a DSL, a T1 line and as T3 line in the embodiment of Figure 7. In this embodiment, the communication link is the connection from the subscriber's work computer to the Internet. It is well known in the art that this connection can be any one of the types listed in claims 25 and 40.

Regarding claim **26**, Devillier discloses the limitation that the response comprises an instruction to end the communication session and terminate (connect) the incoming call to the line in lines 49-52 of column 5.

5. Claims **47 and 49** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,366,661 to Devillier et al in view of U.S. Patent 6,891,940 to Bhandari et al as applied to claim 47 above, and further in view of U.S. Patent 5,917,817 to Dunn et al.

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Devillier, modified, discloses all the limitations of claim 37 as indicated in the rejection above. However, Devillier does not disclose expressly the limitation of the call routing instructions being maintained by the subscriber or the limitation of the database being accessible to the subscriber.

Dunn discloses throughout the document a method of allowing subscribers to access a database to modify the service provided to them. Specifically, the database is the customer feature database 18 of figures 5 and 6. The access is described in lines 41-60 of column 5. This access discloses the limitation that the database is accessible to the subscriber and thus also discloses the limitation that the subscriber maintains the call routing instructions since modifications to this database affect how calls to that subscriber are handled. Devillier, modified, and Dunn are analogous art because they are from the same field of endeavor of call processing in advanced intelligent networks. At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify Devillier, modified, to allow subscribers to modify the contents of the Internet database. The motivation for doing so would have been to provide a cost-effective and simple method for enabling customers to control services at any time as suggested by Dunn in lines 66 of column 1 through line 5 of column 2. Therefore, it would have been obvious to combine Dunn with Devillier, modified, for the benefit of allowing subscribers to control services to obtain the invention as specified in claims 47 and 49.

6. Claims 5, 10, 15-16, 46, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,366,661 to Devillier et al in view of U.S. Patent 6,891,940 to Bhandari et al and in further view of U.S. Patent 6,014,379 to White et al.

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Regarding claims **5, 10, 15-16, 46, and 48**, all the limitations of the parent claims (1, 11, and 37) are disclosed by the combination of Devillier and Bhandari as described in the rejection under 35 U.S.C. 103 (a) above. However, the combination of Devillier and Bhandari does not disclose expressly the limitation of a database accessible via the computer network, the accessing of this database, or the association of the database with the computer. White discloses the limitation of a database associated with the computer network (claims 5, 10, 15-16, 46, and 48), wherein the database contains call routing instructions in the database 35 of Figure 1. The paragraph from lines 16-34 of column 12 describes how the database is used to store routing instructions (claim 46). The limitations of accessing the database via the computer network and obtaining a response from the database (claims 15 and 16) are disclosed in lines 1-16 of column 13. White discloses the limitation of the database being associated with the computer (claim 48) in lines 51-57 of column 14. This passage indicates the association of the database with the computer (PC) through the Internet address fields.

Devillier and White are analogous art because they are from the same field of endeavor of call processing in telecommunications networks. At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify Devillier to store call routing instructions in a database on the Internet. The motivation for doing so would have been to greater universality of custom subscriber services as suggested by White in lines 43-45 of column 6. Therefore, it would have been obvious to combine White with Devillier for the benefit of greater universality of custom services to obtain the invention as specified in claims 5, 10, 15-16, 46 and 48.

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7. Claim **45** is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,366,661 to Devillier et al in view of U.S. Patent 6,891,940 to Bhandari et al and in further view of U.S. Patent 6,144,644 to Bajzath et al.

Devillier does not disclose expressly the limitations of the trigger being activated when a communication session is established between the computer and the computer network.

Bajzath discloses (lines 41-67 of column 4) the limitation of the trigger (the first trigger in this case) being activated when a communication session is established between the computer and the computer network.

Devillier and Bajzath are analogous art because they are from the same field of endeavor of call processing in advanced intelligent networks. These two references are in fact directed in part to the same problem the applicant is solving which is notification of incoming calls to users with an online connection (via that online connection).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify Devillier to trigger processing based on the dialing of the ISPs number and activate the TAT trigger based on this ISP number dialing.

The motivation for doing so would be to allow more flexibility by allowing the call waiting and call control method to be performed whether the user was connected to the Internet or to a non-Internet party as specified by Bajzath in the last sentence of the abstract and lines 1-7 of column 8.

Therefore, it would have been obvious to combine Bajzath with Devillier for the benefit of providing a flexible network architecture to obtain the invention as specified in claim 45.

8. Claim 31, 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,366,661 to Devillier et al in view of U.S. Patent 6,891,940 to Bhandari et al and in further view of U.S. Patent 6,014,379 to White et al.

Devillier discloses the service switching point in the SSP 22 of Figure 2 (described as an SSP in lines 24-32 of column 4). Devillier discloses the service control point in the AIN SCP 32 of Figure 2. Devillier discloses the gateway in the server 16 of Figure 2. The limitation of the service switching point launching a query to the service control point is disclosed in the first block of Figure 5A (the SCP receiving the message to request subscriber status); also see lines 11-17 of column 6 for more information. The limitation of the service control point sending a call processing request to the gateway when it receives the query is disclosed in the query transmitted to the server (see second block of Figure 5A). The limitation that the controller send an instruction to the switch to park the incoming communication at the gateway is disclosed in lines 48-56 of column 6 (the AIN IP is considered part of the gateway in this interpretation as described above). The limitation that the switch parks the communication at the gateway is also disclosed in lines 48-56 of column 6. The limitation that the gateway communicates with the computer network to obtain a response to process the call is disclosed in lines 40-51 of column 6 (which describes how the SCP passes the caller identification information to the gateway (server)) and in lines 35-65 of column 7 (which describes how the gateway (communications server) sends a request to the subscriber's PC to request instructions on how to route the call (from the subscriber). The limitation of the service control point processing the incoming call in accordance with the response is disclosed in lines 1-3 of column 7.



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Devillier does not disclose expressly the limitations of the service switching point comprising a trigger provisioned for the telephone line, the incoming call being detected by the trigger, the database, or the gateway communicating with the network to obtain a response from the database. Devillier also does not disclose the limitation that the gateway is in communication with the switch and controller through links distinct from the computer network or the functionality of the server being collocated with the AIN IP.

However, it is well known that in AIN networks (like that of Devillier, triggers are the means by which the special call processing is handled in the SSP/SCP). Bhandari discloses the limitation of provisioning an SSP with a trigger and in launching a query from the SSP to the SCP when an incoming call is detected by that trigger in the Termination\_Attempt trigger described in lines 51-54 of column 12.) While the provisioning of the trigger is not explicitly mentioned in this passage, it is implicit to one of ordinary skill in the art in that the trigger must be provisioned prior to being used as described in the above cited passage. Bhandari also discloses the structural limitations of the gateway being in communication with the switch and controller through links distinct from the computer network in the Intelligent Peripheral 40 of Figure 1. This is analogous to the AIN IP of Devillier.

Devillier and Bhandari are analogous art because they are from the same field of endeavor of call processing in advanced intelligent networks. At the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the SSP of Devillier using the Termination\_Attempt trigger and related signaling described in Bhandari. The motivation for doing so would be to comply with well-know industry standards so that the SSP and SCP could be from separate vendors, thus providing a more flexible network

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architecture. It would also have been obvious to one of ordinary skill in the art to combine the functionality of the server 16 and the AIN IP into one network element and thus to connect the modified AIN IP to both the data network and the AIN network as disclosed in Bhandari. The motivation for doing so would be to reduce the overall cost of the system by reducing the number of network elements required in the network. Therefore, it would have been obvious to combine Bhandari with Devillier for the benefit of providing a flexible network architecture and reducing costs to obtain the invention as specified in claims 1, 11, 21, and 37.

However, Devillier, as modified, does not disclose expressly the database, or the gateway communicating with the network to obtain a response from the database.

The paragraph from lines 16-34 of column 12 describes how the database is used to store routing instructions. The limitations of the gateway obtaining a response from the database and the response containing information from the database are disclosed in lines 1-16 of column 13.

Devillier and White are analogous art because they are from the same field of endeavor of call processing in telecommunications networks. At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify Devillier to store call routing instructions in a database on the Internet.

The motivation for doing so would have been to greater universality of custom subscriber services as suggested by White in lines 43-45 of column 6.

Therefore, it would have been obvious to combine White with Devillier for the benefit of greater universality of custom services to obtain the invention as specified in claim 31.

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Regarding claim **33**, Devillier discloses the limitation that the subscriber uses a computer to establish a communication session with the computer network throughout, for example in lines 3-5 of the abstract.

Regarding claim **34**, Devillier does not expressly disclose the limitation of the database being associated with the computer. White discloses the limitation of the database being associated with the computer in lines 51-57 of column 14. This passage indicates the association of the database with the computer (PC) through the Internet address fields. Devillier and White are analogous art because they are from the same field of endeavor of call processing in telecommunications networks. At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify Devillier to store call routing instructions in a database on the Internet. The motivation for doing so would have been to greater universality of custom subscriber services as suggested by White in lines 43-45 of column 6. Therefore, it would have been obvious to combine White with Devillier for the benefit of greater universality of custom services to obtain the invention as specified in claim 31.

9. Claims **32 and 35** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,366,661 to Devillier et al in view of U.S. Patent 6,891,940 to Bhandari et al and in further view of U.S. Patent 6,014,379 to White et al as applied to claim 31 above, and further in view of U.S. Patent 5,917,817 to Dunn et al.

Devillier, modified, discloses all the limitations of claim 31 as indicated in the rejection above. However, Devillier does not disclose expressly the limitation of the call routing

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instructions being maintained by the subscriber or the limitation of the database being accessible to the subscriber.

Dunn discloses throughout the document a method of allowing subscribers to access a database to modify the service provided to them. Specifically, the database is the customer feature database 18 of figures 5 and 6. The access is described in lines 41-60 of column 5. This access discloses the limitation that the database is accessible to the subscriber and thus also discloses the limitation that the subscriber maintains the call routing instructions since modifications to this database affect how calls to that subscriber are handled. Devillier, modified, and Dunn are analogous art because they are from the same field of endeavor of call processing in advanced intelligent networks. At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify Devillier, modified, to allow subscribers to modify the contents of the Internet database. The motivation for doing so would have been to provide a cost-effective and simple method for enabling customers to control services at any time as suggested by Dunn in lines 66 of column 1 through line 5 of column 2. Therefore, it would have been obvious to combine Dunn with Devillier, modified, for the benefit of allowing subscribers to control services to obtain the invention as specified in claims 32 and 35.

10. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,366,661 to Devillier et al in view of U.S. Patent 6,891,940 to Bhandari et al and in further view of U.S. Patent 6,014,379 to White et al as applied to claim 31 above, and further in view of U.S. Patent 6,144,644 to Bajzath et al.

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Devillier, modified, discloses all the limitations of claim 31 as indicated in the rejection above. However, Devillier does not disclose expressly the limitation of activating the trigger when a communication session is established between the subscriber and the computer network.

Bajzath discloses (lines 41-67 of column 4) the limitation of the trigger (the first trigger in this case) being activated when a communication session is established between the computer and the computer network.

Devillier, modified, and Bajzath are analogous art because they are from the same field of endeavor of call processing in advanced intelligent networks. These two references are in fact directed in part to the same problem the applicant is solving which is notification of incoming calls to users with an online connection (via that online connection).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify Devillier to trigger processing based on the dialing of the ISPs number and activate the TAT trigger based on this ISP number dialing.

The motivation for doing so would be to allow more flexibility by allowing the call waiting and call control method to be performed whether the user was connected to the Internet or to a non-Internet party as specified by Bajzath in the last sentence of the abstract and lines 1-7 of column 8.

Therefore, it would have been obvious to combine Bajzath with Devillier for the benefit of providing a flexible network architecture to obtain the invention as specified in claim 36.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 6,711,401, U.S. Patent 6,246,758, U.S. Patent Application Publication

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2002/0167940, and U.S. Patent Application Publication 2002/0168055 all disclose methods and systems similar to that disclosed in the present application.

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert C. Scheibel whose telephone number is 571-272-3169. The examiner can normally be reached on Monday and Thursday from 6:30-5:00 Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*RCS 5-26-05*  
Robert C. Scheibel  
Examiner  
Art Unit 2666

*Seema S. Rao 5/27/05*  
**SEEMA S. RAO**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2800**